

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DAVID ALEXANDER	:	CIVIL ACTION
	:	
v.	:	NO. 09-4335
	:	
SUPERINTENDENT F.J. TENNIS, et al	:	

**ORDER**

**AND NOW**, this 18th day of August, 2010, upon consideration of the Petition for Writ of Habeas Corpus (Document No. 1), the Respondents' Answer to Petition for Writ of Habeas Corpus (Document No. 9), the Report and Recommendation filed by United States Magistrate Judge Timothy R. Rice (Document No. 10), the Petitioner's Objections to the Report and Recommendation (Document No. 14) and the Response to Petitioner's Objections to the Report and Recommendation (Document No. 15), and after a thorough and independent review of the record, it is **ORDERED** that:

1. The petitioner's objections are **OVERRULED**;
2. The Report and Recommendation of Magistrate Judge Rice is **APPROVED** and **ADOPTED**;
3. The Petition for Writ of Habeas Corpus is **DENIED** and **DISMISSED**; and,
4. There is no probable cause to issue a certificate of appealability.

s/Timothy J. Savage  
TIMOTHY J. SAVAGE, J.